

Notice of Allowability

Application No.

10/821,166

Applicant(s)

MOELLER ET AL.

Examiner

Art Unit

Olga Asinovsky

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/13/2006.
2. ☒ The allowed claim(s) is/are 1-55.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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The amendment filed on 02/13/2006 is entered.

Response to Arguments

1. Applicant's arguments, see amendment, filed 02/13/2006, with respect to the present specification inserting the definition of the styrene content for the commercially available product of the SI block copolymer specified at page 5 in the original specification to Kraton D1107, Kraton D1112, Kraton D1113, Quintac 3433N, Quintac 3520, Exxon DPX565, Exxon DPX 586 and Vector 4230 have been fully considered and are persuasive. Applicants have submitted the required evidence that said styrene-isoprene block copolymers have a low styrene content. The rejection of claims 1, 33 and 44 under 112, first paragraph, has been withdrawn.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The claimed invention is a pressure-sensitive adhesive composition comprising: (a) about 10 to about 40 wt.% of a styrene-isoprene block copolymer having a styrene content of from about 14% to about 20% by weight, (b) about 5 to about 30 wt.% of a styrene-butadiene block copolymer, (c) about 30 to about 65 wt.% of an aromatically modified tackifying resin, and (d) about 8 to about 30 wt.% of a plasticizing oil, for the present independent claims 1 and 44. Also, independent claim 33 discloses a pressure-sensitive adhesive composition having substantially the same chemical formulation that claim 1 and the specified statement that said composition expresses a single glass transition

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temperature and has a tangent delta value of greater than about 0.5 for all temperatures in the range of about minus 20C to about 100 C.

The closest references of record are Hatfield et al Patent 6,184,285 (primary reference), Tungseth et al Patent 4,001,167, Hansen et al Patent 5,891,957 and Sasaki et al Patent 5,663,228.

While Hatfield discloses an adhesive composition comprising a blend of SI block copolymer, SB block copolymer, tackifying resin and plasticizing oil, Hatfield discloses a SI block copolymer having greater than about 25 wt.% of styrene. The secondary reference Tungseth or Hansen discloses a low styrene content for a SI block copolymer (Tungseth col. 5, line 26 and Hansen col. 6, line 26), however, there is no motivation to combine the teachings in Hatfield with Tungseth or Hansen because Hatfield does not disclose a low styrene content for a SI block copolymer and since Hatfield discloses a hot melt adhesive property. A hot melt construction adhesive has different property than a pressure-sensitive adhesive. There is no motivation to combine the teaching in Hatfield with Sasaki since Hatfield discloses higher styrene content for a SI block copolymer and since none of the references discloses a single tangent delta for the resulting chemical formulation of a pressure sensitive adhesive.

Claims 1-55 are deemed contain allowable subject matter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Asinovsky whose telephone number is 571-272-1066. The examiner can normally be reached on 9:00 to 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571-272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.A.

Feb. 26, 2006

Olga Asinovsky
Examiner
Art Unit 1711


James J. Seidleck
Supervisory Patent Examiner
Technology Center 1700